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Amdt. Dated 10/22/2004
Reply to Office action of 9/17/2004

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.   (Currently Amended) A method for distributing digital works among a retail merchant having a merchant node, a remote server, and a customer at a customer node, each digital work having identification data associated therewith, the remote server being intermittently coupled through a communications link which includes a [[public]] communications network to the customer node, the method comprising the steps of:

storing the digital works and their associated identification data on a memory of the remote server;

purchasing from the retail merchant a package associated with a desired one of the digital works, wherein the package includes ~~the desired digital work's identification data and a description of the digital work;~~ a package identifier, the package identifier being displayed on an outer surface of the package, the package identifier being a code that includes the desired digital work's identification data to uniquely identify the digital work and the package being purchased, the outer surface of the package further displaying a description of the content of the digital work;

sending a request from a merchant node associated with the retail merchant to the remote server to set a status of the desired digital work as available for access based on the package identifier of the package associated with the digital work, the remote server receiving the request and searching the digital works stored on the remote server for the desired digital work specified

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by the package identifier in the received request from the merchant node and setting the status of

the desired digital work as available for access;

sending a request to access the desired digital work from the customer node through the

[[public]] communications network to the remote server, the request specifying the desired

digital work's identification data included in the ~~purchased package~~ the package identifier

displayed on the outer surface of the purchased package;

receiving at the remote server the request to access the desired digital work;

searching the digital works stored on the remote server for the desired digital work

specified by the identification data associated with the package identifier displayed on the outer

surface of the purchased package in the received request;

identifying the digital work based upon the received identification data;

transmitting the desired digital work from the remote server through the [[public]]

communications network to the customer node;

receiving at the customer node the desired digital work; and

storing the desired digital work on a memory of the customer node.

2.   (Canceled).

3.   (Canceled).

4.   (Original) The method of claim 1, wherein the identification data for each of the

digital works stored on the remote server includes a unique combination of an identifier and a

password, and further wherein the unique combination of the identifier and the password are

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disposed on an inner surface of the package and sealed within the package, the method further

comprising the step of:

after purchasing from the retail merchant the package associated with the desired digital

work, opening the package to reveal the desired digital work's unique combination of the

identifier and the password disposed on the inner surface of the package.

5.   (Original) The method of claim 1, wherein the identification data for each of the

digital works stored on the remote server includes a unique identifier, and further wherein a first

portion of the unique identifier is displayed on an outer surface of the package and a second

portion of the unique identifier is stored on a magnetic strip on the package, the method further

comprising the steps of:

after purchasing from the retail merchant the package associated with the desired digital

work, reading the second portion of the unique identifier from the magnetic strip on the package;

and

printing the second portion of the unique identifier for the customer.

6.   (Original) The method of claim 1, wherein the identification data for each of the

digital works stored on the remote server includes a unique identifier, and further wherein a first

portion of the unique identifier is displayed on an outer surface of the package and a second

portion of the unique identifier is disposed on an inner surface of the package and sealed within

the package, the method further comprising the step of:

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after purchasing from the retail merchant the package associated with the desired digital

work, opening the package to reveal the second portion of the unique identifier disposed on the

inner surface of the package.

7.   (Currently Amended) The method of claim 1, further comprising the steps of:

sending a request for customer registration data from the remote server through the

[[public]] communications network to the customer node;

inputting at the customer node the requested customer registration data;

transmitting the inputted customer registration data from the customer node through the

[[public]] communications network to the remote server;

receiving at the remote server the transmitted customer registration data; and

storing the transmitted customer registration data on the memory of the remote server.

8.   (Currently Amended) The method of claim 1, wherein the [[public]]

communications network comprises the Internet.

9.   (Currently Amended) A system for distributing digital works, each digital work

having identification data associated therewith, the system comprising:

a. a package associated with a desired one of the digital works, wherein the package

~~includes the desired digital work's identification data and a description of the digital work and~~ is

purchased from a retail merchant, wherein the package includes a package identifier, the package

identifier being displayed on an outer surface of the package, the package identifier being a code

that includes the desired digital work's identification data to uniquely identify the digital work,

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the outer surface of the package further displaying a description of the content of the digital

work;

    b. a communications link which includes a [[public]] communications network;

    c. a merchant node used by the retail merchant, the merchant node comprising:

        i. memory;

        ii. a processor connected to the memory of the merchant node; and

        iii. equipment connected to the processor of the merchant node for

coupling to the communications link which includes the [[public]] communications

network; and

        iv. logic for performing the steps of:

            (1) receiving the package identifier;

            (2) sending a request from a merchant node through the

                communications network to set a status of the desired digital

                work as available for access based on the package identifier of

                the package associated with the digital work;

[[c]]d. a customer node used by a customer, the customer node comprising:

    i. memory;

    ii. a processor connected to the memory of the customer node; and

    iii. equipment connected to the processor of the customer node for coupling to

the communications link which includes the [[public]] communications network;

and

    iv. logic for performing the steps of:

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(1) sending a request to access the desired digital work through the

[[public]] communications network, the request specifying the desired digital work's

identification data included in the ~~purchased package~~ package identifier displayed on the outer

surface of the purchased package;

(2) receiving the desired digital work through the public communications

network; and

(3) storing the desired digital work on the memory of the customer node;

and

[[d]]e. a remote server comprising:

i. memory;

ii. a processor connected to the memory of the remote server; and

iii. equipment connected to the processor of the remote server for coupling to the

communications link which includes the public communications network;

iv. the digital works and identification data associated with each of the digital

works stored on the memory of the remote server; and

v. logic for performing the steps of:

(1) searching the digital works stored on the remote server for the

desired digital work specified by the package identifier in the received request from the

merchant node;

(2) setting the status of the desired digital work as available for

access based upon the received request from the merchant node;

([[1]]3) receiving the request to access the desired digital work

through the [[public]] communications network from the customer node;

([[2]]4) searching the digital works stored on the remote server for

the desired digital work specified by the identification data associated with the package

identifier displayed on the outer surface of the purchased package in the received request;

~~and~~

(5) identifying the digital work based upon the received

identification data; and

([[3]]6) transmitting the desired digital work through the [[public]]

communications network to the customer node.

10.   (Canceled).

11.   (Canceled)

12.   (Original) The system of claim 9, wherein the identification data for each of the

digital works stored on the remote server includes a unique combination of an identifier and a

password, and further wherein the unique combination of the identifier and the password are

disposed on an inner surface of the package and sealed within the package.

13.   (Original) The system of claim 9, wherein the identification data for each of the

digital works stored on the remote server includes a unique identifier, and further wherein a first

portion of the unique identifier is displayed on an outer surface of the package and a second

portion of the unique identifier is stored on a magnetic strip on the package.

14.   (Original) The system of claim 9, wherein the identification data for each of the digital works stored on the remote server includes a unique identifier, and further wherein a first portion of the unique identifier is displayed on an outer surface of the package and a second portion of the unique identifier is disposed on an inner surface of the package and sealed within the package.

15.   (Currently Amended) The system of claim 9, wherein the [[public]] communications network comprises the Internet.

16.   (New) The method of claim 1, wherein the package includes a card.

17.   (New) The method of claim 1, wherein the package is a card.

18.   (New) The system of claim 9, wherein the package includes a card.

19.   (New) The system of claim 9, wherein the package is a card.